

## CLAIMS

What is claimed is:

1 Sub 1. A method for capturing an image using an image capture device, the image  
2 capable of including a plurality of objects, each of the plurality of objects being a  
3 corresponding distance from the imaging device, the image being associated with a focus  
4 zone, method comprising the steps of:

5 determining if the image matches at least one criteria;

6 determining whether at least one of the plurality of objects is out of focus if the  
7 image matches the at least one criteria; and

8 (c) shifting the focus zone so that the at least one object is out of focus if at  
9 least one of the plurality of subjects is not out of focus.

10 ✓ 2. The method of claim 1 wherein the step of determining if the image  
11 matches the at least one criteria (a) further includes the step of:

12 (a1) determining the corresponding distance for each of the plurality of objects.

13 ✓ 3. The method of claim 2 wherein the step of determining if the image  
14 matches the at least one criteria (a) further includes the step of:

15 (a2) categorizing the plurality of objects as being located in a foreground or a  
16 background based on the corresponding distance, the image matching one of the at least  
17 one criteria if a first object in the foreground has a first corresponding distance and a

6 second object in the background has a second corresponding distance.

1 ✓4. The method of claim 1 further wherein the step of determining if the image  
2 matches the at least one criteria (a) further includes the step of:

3 (a1) separating the image into a plurality of zones;

4 (a2) analyzing the image in each of the plurality of zones to determine if the  
5 image matches the at least one criteria.

1 ✓5. The method of claim 4 wherein the at least one criteria includes the size of  
2 a particular object of the plurality of objects and wherein the step of analyzing the image  
3 (a2) further includes the step of:

4 (a2i) determining the amount of each zone and a number of zones which  
5 the particular object occupies.

1 ✓6. The method of claim 1 wherein the image includes a center and at least one  
2 criterion includes a location of a particular object of the plurality objects being in  
3 proximity to the center of the image.

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1 7. The method of claim 1 wherein the step of shifting the focus zone (c) further  
2 includes the step of:

3 (c1) shifting the focus zone so that the at least one object is outside of the focus  
4 zone if the focus zone can be shifted so that the at least one object is outside of the focus

5 zone.

1 8. The method of claim 7 wherein the step of shifting the focus zone (c) further  
2 includes the step of:

3 (c2) adjusting the focus zone so that the focus zone can be shifted so that at least  
4 one object is outside of the focus zone.

1 *Sub* 9. A method for allowing an image having a center to be captured by an  
2 *app* imaging device, the image capable of including a plurality of objects, each of the plurality of  
3 objects being a corresponding distance from the imaging device, the method comprising the  
4 steps of:

5 determining if the image matches a plurality of criteria, the step of determining if the

6 image matches the plurality criteria further including the steps of:

7 (a1) determining the corresponding distance for each of the  
8 plurality of objects;

9 (a2) categorizing the plurality of objects as being located in a  
10 foreground or a background based on the corresponding distance, the  
11 image matching a first criteria of the plurality of criteria if a first  
12 object in foreground has a first corresponding distance and a second  
13 object in the background has a second corresponding distance;

14 (a3) separating the image into a plurality of zones;

15 (a4) analyzing the image in each of the plurality of zones to

16 determine an amount of the image which each of the plurality of  
17 objects occupies, the image matching a second criteria of the plurality  
18 of criteria if the first object occupies a particular amount of the image;  
19 (a5) analyzing the image in each of the plurality of zones to  
20 determine if the first object in the foreground is in proximity to the  
21 center of the image, the image matching a third criteria of the plurality  
22 of criteria if the first object is in proximity to the center of the image;  
23 determining whether the second object is out of focus if the image matches the at  
24 least one criteria;  
25 (c) determining a focus zone; and  
26 (d) shifting the focus zone so that the at least one object is out of focus if at least  
27 one of the plurality of subjects is not out of focus and if the focus zone can be shifted so that  
28 the at least one object is out of focus.

2 10. An image capture device image for capturing an image capable of including a  
3 plurality of objects, each of the plurality of objects being a corresponding distance from the  
4 imaging device, the image being associated with a focus zone, the image capture device  
5 comprising:

5 means for determining if the image matches at least one criterion;  
6 means for determining whether at least one of the plurality of objects is out of focus  
7 if the image matches the at least one criteria; and  
8 means for shifting the focus zone so that the at least one object is out of focus if at

9 least one of the plurality of subjects is not out of focus.

1 ✓ 11. The image capture device of claim 10 wherein means for determining if the  
2 image matches the at least one criteria further includes:

3 means for determining the corresponding distance for each of the plurality of objects.

1 ✓ 12. The image capture device of claim 11 wherein the means for determining if  
2 the image matches the at least one criteria further includes:

3 means for categorizing the plurality of objects as being located in a foreground or a  
4 background based on the corresponding distance, the image matching one of the at least one  
5 criteria if a first object in the foreground has a first corresponding distance and a second  
6 object in the background has a second corresponding distance.

1 ✓ 13. The image capture device of claim 10 further wherein the means for  
2 determining if the image matches the at least one criteria further includes:

3 means for separating the image into a plurality of zones; and

4 means for analyzing the image in each of the plurality of zones to determine if the  
5 image matches the at least one criteria.

1 ✓ 14. The image capture device of claim 13 wherein the at least one criteria  
2 includes the size of a particular object of the plurality of objects and wherein the means for  
3 analyzing the image further includes:

4 means for determining the amount of each zone and a number of zones which  
5 the particular object occupies.

1 ✓ 15. The image capture device of claim 10 wherein the image includes a center  
2 and at least one criterion includes a location of a particular object of the plurality objects  
3 being in proximity to the center of the image.

1 ✓ 16. The image capture device of claim 10 wherein the means for shifting the  
2 focus zone further includes:

means for shifting the focus zone so that the at least one object is outside of the focus  
4 zone if the focus zone can be shifted so that the at least one object is outside of the focus  
5 zone.

17. The image capture device of claim 16 wherein the means for shifting the  
focus zone further includes:

means for adjusting the shifting the focus zone so that the focus zone can be shifted  
4 so that at least one object is outside of the focus zone if the at least one of the plurality of  
5 subjects is not out of focus.

1 ✓ 18. The image capture device of claim 1 wherein the image capture device is a  
2 digital camera.

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1 19. A computer-readable medium containing a program for capturing an image  
2 capable of including a plurality of objects, each of the plurality of objects being a  
3 corresponding distance from the imaging device, the image being associated with a focus  
4 zone, program including instructions for:  
5 determining if the image matches at least one criterion;  
6 determining whether at least one of the plurality of objects is out of focus if the  
7 image matches the at least one criterion; and  
8 shifting the focus zone so that the at least one object is out of focus if at least one of  
9 the plurality of subjects is not out of focus.

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✓ 20. The computer-readable medium of claim 19 wherein the instructions for  
shifting the focus zone further include instructions for:  
shifting the focus zone so that the at least one object is outside of the focus zone if  
the focus zone can be shifted so that the at least one object is outside of the focus zone.

✓ 21. The computer-readable medium of claim 20 wherein the instructions for  
shifting the focus zone further include instructions for:  
adjusting the focus zone so that the focus zone can be shifted so that at least one  
object is outside of the focus zone if the focus zone can be shifted so that the at least one  
object is outside of the focus zone.

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1 22. A computer-readable medium containing a program for capturing an image

2 having a center to be captured by an imaging device, the image capable of including a  
3 plurality of objects, each of the plurality of objects being a corresponding distance from the  
4 imaging device, the program containing instructions for:

5 determining if the image matches a plurality of criteria, the instructions for  
6 determining if the image matches the plurality criteria further including instruction for:

7 determining the corresponding distance for each of the plurality of objects;

8 categorizing the plurality of objects as being located in a foreground or a  
9 background based on the corresponding distance, the image matching a first criterion  
10 of the plurality of criteria if a first object in foreground has a first corresponding  
11 distance and a second object in the background has a second corresponding distance;

12 separating the image into a plurality of zones;

13 analyzing the image in each of the plurality of zones to determine an amount  
14 of the image which each of the plurality of objects occupies, the image matching a  
15 second criterion of the plurality of criteria if the first object occupies a particular  
16 amount of the image;

17 analyzing the image in each of the plurality of zones to determine if the first  
18 object in the foreground is in proximity to the center of the image, the image  
19 matching a third criterion of the plurality of criteria if the first object is in proximity  
20 to the center of the image;

21 determining whether the second object is out of focus if the image matches the at  
22 least one criterion;

23 determining a focus zone; and



24 shifting the focus zone so that the at least one object is out of focus if at least one of  
25 the plurality of subjects is not out of focus and if the focus zone can be shifted so that the at  
26 least one object is out of focus.

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